

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michelle J. Pillers
Application No. : 09/479,410
Filed : January 6, 2000
For : TWIST LID FOR INSULATED BEVERAGE CONTAINER

Art Unit : 3727
Examiner : Robin A. Hilton
Docket No. : 69311-11
Date : August 18, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATUS INQUIRY

Commissioner for Patents:

Nineteen months have passed since a Revocation and New Power of Attorney was filed in the above-identified application. Payment of issue fee and Petition to Rescind Notice of Abandonment was filed February 9, 2006. A copy of PTOL 85 Fee Transmittal bearing USPTO received stamp dated February 9, 2006 and USPTO payment acceptance stamp dated February 10, 2006 is attached. No further communication has been received from the Patent and Trademark Office indicating action in this matter.

Applicant requests that the undersigned attorney of record be advised of the present status of the above-identified application by fax at the fax number below.

Respectfully submitted,
Michelle J. Pillers et al.
DAVIS WRIGHT TREMAINE LLP

By /George C. Rondeau, Jr./
George C. Rondeau, Jr.
Registration No. 28893

Suite 2200
1201 Third Avenue
Seattle, WA 98101-3045
Phone: (206) 757-8133
Facsimile: (206) 757-7133

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
(703) 746-4000



INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected here. If you wish to change the correspondence address, indicate in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Name, Legibly print—do not use abbreviations or use Block 1)

7590

10/01/2003

RICHARDSON & FOLISE
1290 FIFTH AVENUE
SUITE 1001
SEATTLE, WA 98101

Michael J. Folise

Black Lowe Graham LLC

701-Fifth Ave., Ste. 4800
Seattle, WA 98104

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO on the date indicated below.

Brenda Ruthrauff (Depositor's name)
Brenda Ruthrauff (Signature)
February 6, 2006 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/479,410	01/06/2000	MICHELLE J. MILLERS	PA19.P15	3004

TITLE OF INVENTION: TWIST LID FOR INSULATED BEVERAGE CONTAINER

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$665	\$0	\$665	01/02/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
HYLTON, ROBIN ANNETTE	3727	220-253000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.303).

☒ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 01-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Black Lowe & Graham PLLC

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE (CITY AND STATE OR COUNTRY)

Pacific Market International, LLC Seattle, WA

Please check the appropriate assignee category or categories (will not be printed on the patent):

☐ individual ☒ corporation or other private group entity ☐ government

4b. The following fee(s) are enclosed:

4b. Payment of Fee(s):

☒ Issue Fee☒ A check in the amount of the fee(s) is enclosed.☐ Publication Fee☐ Payment by credit card. Form PTO-2035 is attached.☒ Advance Order - # of Copies 3☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number - 501050 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) to or re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

02/10/2006 MWLDGE2 0000089 501050 09479410

01 FC:2501
02 FC:800129.00 DA
9.00 DA

671.00 DP

TRANSMIT THIS FORM WITH FEE(S)



UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michelle J. Pillers et al.

Attorney Docket No. PMAI-1-1401

Serial No.: 09/479,410

Group Art Unit: 3727

Filing Date: January 6, 2000

Examiner: Robin A. Hylton

Assignee: Pacific Market, Inc.

Title: TWIST LID FOR DRINKWARE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

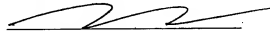
FILING FORMAL DRAWINGS

Sir:

Enclosed are 3 sheets of formal drawings, Figures 1 through 8, for filing in the above-identified application. Also enclosed are the Issue Fee Transmittal and check No. ~~11907~~ 16079 for payment of the issue fee and for two copies.

Respectfully submitted,

Michelle J. Pillers et al.


By: Michael J. Folise, Esq.
Reg. No. 31,952
Black, Lowe & Graham PLLC
701 Fifth Avenue, Ste. 4800
Seattle, WA 98104
Telephone: 206.381.3300
Facsimile: 206.381.3301

MJF/bjr

Enclosures:

Return Post Card

Petition to Rescind Notice of Abandonment's Exhibits A-D

Declaration of Michael J. Folise, Esq.

Declaration of Brenda Ruthrauff with Attachments A-F

Response to Notice of Allowance

Formal Drawings

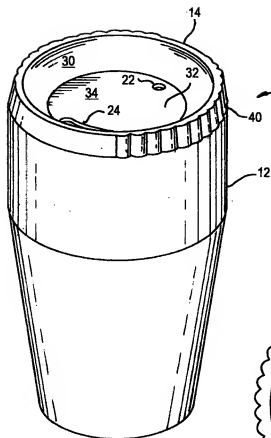


FIG. 1

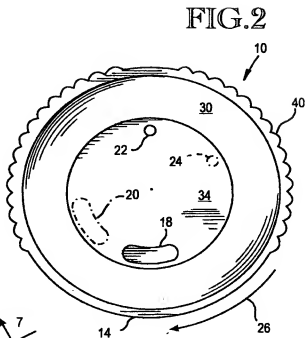


FIG. 2

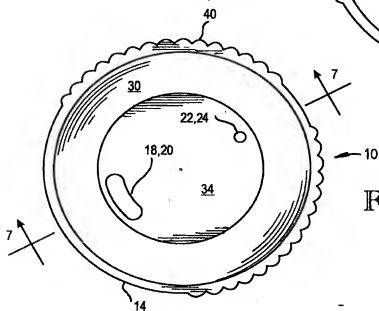


FIG. 3

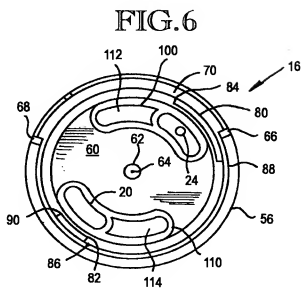
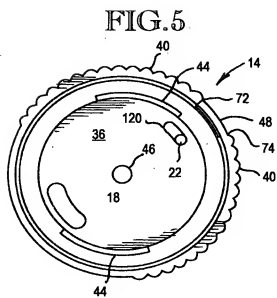
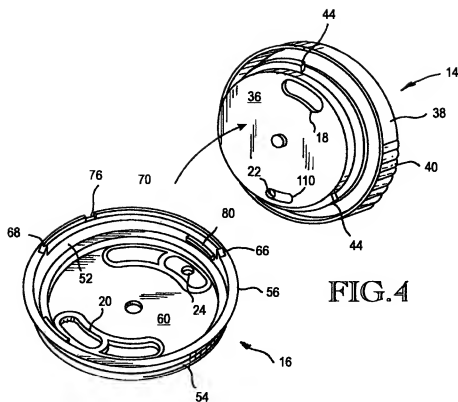


FIG.7

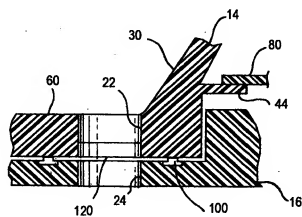
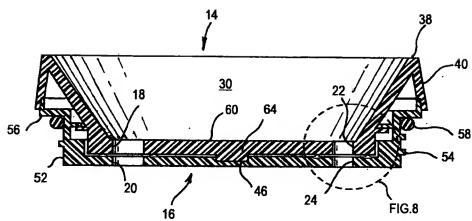


FIG.8



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michelle J. Pillers et al.

Attorney Docket No.: PMAI-1-1401

Serial No.: 09/479,410

Group Art Unit: 3727

Filing Date: January 6, 2000

Examiner: Robin A. Hylton

Assignee: Pacific Market, Inc.

Title: TWIST LID FOR DRINKWARE

Commissioner for Patents

Mail Stop Petition

P.O. Box 1450

Alexandria, VA 22313-1450

DECLARATION OF BRENDA RUTHRAUFF

I, Brenda Ruthrauff, declare as follows:

1. I am the legal assistant to Michael J. Folise, the attorney authorized to prosecute this application.
2. Exhibit A is a true and correct copy of the Notice of Abandonment as found in the above-referenced file.
3. Exhibit B is a true and correct copy of the Change of Correspondence Address dated January 10, 2003 as found in the above-referenced file.
4. Exhibit C is a true and correct copy of the return postcard evidencing Exhibit 3 above as found in the above-referenced file.
5. Exhibit D is a true and correct copy of the Status Inquiry dated March 4, 2003 as found in the above-referenced file.
6. Exhibit E is a true and correct copy of the return postcard for Exhibit D as found in the above-referenced file.
7. Exhibit F is a true and correct copy of the remailed Notice of Abandonment dated October 27, 2004 as found in the above-referenced file.

I am aware that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon. I declare that all statements are of my own knowledge and are true and that all statements made on information and belief are believed to be true.

Dated: February 2, 2006 Signed: Brenda Ruthrauff
Brenda Ruthrauff

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/479,410
Filed : January 6, 2000
For : TWIST LID FOR DRINKWARE

Docket No. : 730126.401
Date : January 10, 2003

Commissioner for Patents
Washington, DC 20231

CHANGE OF CORRESPONDENCE ADDRESS

Commissioner for Patents:

The undersigned attorney of record requests that the correspondence address in the above-identified application be changed to:



00500

PATENT TRADEMARK OFFICE

Michael J. Folise
Seed Intellectual Property Law Group PLLC
701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092
Phone: (206) 622-4900
Fax: (206) 682-6031

Respectfully submitted,
Seed Intellectual Property Law Group PLLC

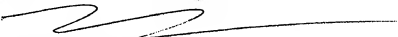

Michael J. Folise
Registration No. 31, 952

EXHIBIT B

850003.00002
MJF:mt

Date Stamp

Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

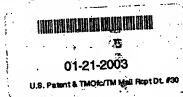
SENT: January 17, 2003

Kindly acknowledge receipt of the below-listed documents by placing
your receiving stamp hereon and mailing:

Change of Correspondence Address Forms.

D:\6PentM\Msgs\MICHELLE\49977_1.DOC

Seed Intellectual Property Law Group PLLC



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701 FIFTH AVENUE, SUITE 6300
SEATTLE, WA 98104-7092



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EXHIBIT C



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michelle J. Pillers et al.

Attorney Docket No. PMAI-1-1401

Serial No.: 09/479,410

Group Art Unit: 3727

Filing Date: January 6, 2000

Examiner: Robin A. Hylton

Assignee: Pacific Market, Inc.

Title: TWIST LID FOR DRINKWARE

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

DECLARATION OF MICHAEL J. FOLISE, ESQ.

I, Michael J. Folise, Esq. hereby declare as follows:

1. I am counsel for the Applicant in the above identified opposition.
2. I am the attorney authorized to prosecute this application.
3. I caused a "Change of Attorney Address" to be filed with the United States Patent and

Trademark Office on January 10, 2003, changing the undersigned's address from 1200 Fifth Avenue, Suite 1801, Seattle, Washington 98101 to 701 Fifth Avenue, Suite 6300, Seattle, Washington 98104.

A true and correct copy of that document, and a postcard indicating receipt by the Office on January 21, 2003 are attached to the Declaration of Ms. Brenda Ruthrauff as Exhibits B and C thereto.

I am aware that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon. I declare that all statements are of my own knowledge and are true and that all statements made on information and belief are believed to be true.

DATED this 21 day of February, 2006 at Seattle, Washington.

By: 

Michael J. Folise
Reg. No. 31,952



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michelle J. Pillers et al.

Attorney Docket No. PMAI-1-1401

Serial No.: 09/479,410

Group Art Unit: 3727

Filing Date: January 6, 2000

Examiner: Robin A. Hylton

Assignee: Pacific Market, Inc.

Title: TWIST LID FOR DRINKWARE

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO RESCIND NOTICE OF ABANDONMENT

Sir:

This Petition is in Response to a "Notice of Abandonment" initially mailed by the Patent Office on February 9, 2004 and received for the first time by the undersigned almost nine months later on November 1, 2004. A copy of that Notice is attached hereto as Exhibit A. The Notice was issued as a result of Applicant's failure to pay the issue fee. The attached Declarations of Mr. Folise and his legal assistant, Brenda Ruthrauff, form a part of this Response. No fee is required.

As set forth in the attached Declarations, undersigned counsel filed the enclosed Change of Correspondence Address (Exhibit B) on January 10, 2003 changing the undersigned's address from 1200 Fifth Avenue, Suite 1801, Seattle, Washington 98101 to 701 Fifth Avenue, Suite 6300, Seattle, Washington 98104 as evidenced by the enclosed return postcard (Exhibit C). Nevertheless, the

Patent Office mailed the original Notice of Allowance dated October 1, 2003 to undersigned counsel's previous address of 1200 Fifth Avenue in Seattle, Washington and it was therefore not received by applicant's attorney. On March 4, 2003 counsel filed a Status Inquiry (Exhibit D) regarding the status of this case. The Patent Office acknowledged receipt of the Status Inquiry as evidenced on the return postcard (Exhibit E). The remailed Notice of Abandonment was not mailed from the Patent Office until October 27, 2004, over a year and half after receipt of the Status Inquiry by the Patent Office (Exhibit A). This Petition was prepared and filed upon location of the Change of Correspondence Address and postcard documents.

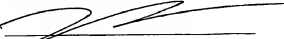
This Petition includes, in a separate attached paper, a full response to the Notice of Allowance dated October 1, 2003 including:

- i) Our check No. ~~14909~~ ¹⁶⁰⁷⁹ in the amount of \$ 1671 for payment of the Issue Fee;
- ii) Part B of the Notice of Allowance; and
- iii) Submission of Formal Drawings.

As can be concluded by these referenced exhibits, an earnest attempt at continuous and proactive prosecution of this case has been made by applicant's attorney.

Respectfully submitted,

Michelle J. Pillers, et al.



By: Michael J. Folise, Esq.
Reg. No. 31,952
Black, Lowe & Graham PLLC
701 Fifth Avenue, Ste. 4800
Seattle, WA 98104
Telephone: 206.381.3300
Facsimile: 206.381.3301

MJF/bjr

Enclosures:

Return Post Card

Petition to Rescind Notice of Abandonment's Exhibits A-E

Declaration of Michael J. Folise, Esq.

Declaration of Brenda Ruthrauff with Attachments A-F

Response to Notice of Allowance

Formal Drawings

Check No. ~~4407~~ ¹⁶⁰⁷⁹ for \$ 671

S:\CLIENTS\IP\PM\11-PATENTS\11-1401 (730126.401)\RESC-ABND.DOC